

IVETTE AMELBURU MANINGO, ESQ.  
Nevada Bar Number 7076  
THE LAW OFFICES OF IVETTE AMELBURU MANINGO  
400 S. 4<sup>th</sup> St. Suite 500  
Las Vegas, Nevada 89101  
Phone: (702) 793-4046  
Fax: (844) 793-4046  
Email: iamaningo@iamlawnv.com  
*Attorney for Defendant Martinez*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff

v.

ENRIQUE MARTINEZ,

Defendant

Case No. 2:21-cr-00169-CDS-BNW

**STIPULATION TO CONTINUE  
SENTENCING HEARING  
(SECOND REQUEST)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Kimberly Sokolich, Assistant United States Attorney, counsel for Plaintiff the United States of America, and Ivette Amelburu Maningo, counsel for Enrique Martinez, that the Sentencing Hearing currently scheduled for the 23<sup>rd</sup> day of March, 2023, (ECF NO. 100) be vacated and set to a date and time convenient to this Court, but no sooner than forty-five (45) days from the date currently scheduled for sentencing.

The Stipulation is entered into for the following reasons:

1. Defense Counsel has been preparing for a State death penalty case and needs additional time to thoroughly explore all factors relevant to Mr. Martinez's sentencing and mitigation presentation in general and to finalize a thorough sentencing memorandum for this Court's consideration.

2. The Defendant is not currently in custody and does not object to the continuance.

3. The additional time requested herein is not sought for purposes of delay.

4. All parties agree to the continuance.

5. This is the second stipulation to continue sentencing filed herein.

6. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim. P. 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed [for sentencing] in this rule.” Furthermore, a delay in sentencing does not implicate or undermine the defendant’s speedy trial rights under the United States Constitution, which terminated upon conviction. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).

DATED this 14<sup>th</sup> day of March, 2023.

The Law Offices of  
Ivette Amelburu Maningo

By: /s/ Ivette Amelburu Maningo  
IVETTE AMELBURU MANINGO, ESQ.  
Attorney for Defendant  
Enrique Martinez

By: /s/ Kimberly Sokolich  
KIMBERLY SOKOLICH, ESQ.  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff

v.

ENRIQUE MARTINEZ,

Defendant

Case No. 2:21-cr-00169-CDS-BNW

**ORDER**

**ORDER**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defense Counsel requires additional time to thoroughly explore all factors relevant to Mr. Martinez's sentencing and mitigation presentation in general and to finalize a thorough sentencing memorandum for this Court's consideration.
2. The Defendant is out of custody and does not object to the continuance.
3. The parties agree to the continuance.
4. This is the second stipulation to continue sentencing filed herein.
5. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim. P. 32(b)(2), which states that the "court may, for good cause, change any time limits prescribed [for sentencing] in this rule." Furthermore, a delay in sentencing does not implicate or undermine the defendant's speedy trial rights under the United States Constitution, which terminated upon conviction. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).
6. Additionally, denial of this request for continuance could result in a miscarriage of justice.

1 IT IS FURTHER ORDERED that the Sentencing Hearing currently scheduled for the  
2 23rd day of March, 2023, at the hour of 10:00 a.m., be vacated and continued to 8th day of  
3 May, 2023 at the hour of 10:00 a.m.. in courtroom 6B.

4 DATED: March 14, 2023

5   
6 \_\_\_\_\_  
7 HONORABLE CRISTINA D. SILVA  
8 UNITED STATES DISTRICT JUDGE  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24